

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

ORIGINAL

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Certiorari to Lexington County  
Brooks P. Goldsmith, Circuit Court Judge

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RECEIVED

JUL 06 2016

SC SUPREME COURT

MICHAEL RAY ELDERS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2016-000242

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE PETITION FOR WRIT OF  
CERTIORARI AND APPENDIX

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Counsel for Michael Ray Elders respectfully requests an extension of thirty (30) days in which to file the petition for writ of certiorari and appendix in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a second request for an extension. In support of this request, counsel shows:

1. The petition for writ of certiorari and appendix are due to be served and filed with the Court today.

2. Counsel for Michael Ray Elders respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.


3. Counsel filed petition for writ of certiorari and the accompanying appendix in the case of Matthew Atkinson v. The State in this Court on June 9, 2016. Counsel had an oral argument in the case of The State v. Arthur Moseley before the Court of Appeals on June 8, 2016. Counsel filed the petition for rehearing in the case of The State v. Jeffrey Davis with the Court of Appeals on May 23, 2016. Counsel filed brief of appellant and designation of matter in the case of The State v. Tracy Alston with the Court of Appeals on May 19, 2016. Counsel filed brief of appellant and designation of matter in the case of The State v. Jonathan Gibson with the Court of Appeals on May 12, 2016. Counsel filed the initial brief of appellant and designation of matter in the case of The State v. John Holmes with the Court of Appeals on May 3, 2016.

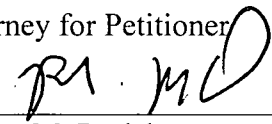
4. Counsel makes this request in good faith and not for purpose of delay.

5. Counsel for the Attorney General's office has been informed of this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension, in which to file the petition for writ of certiorari and appendix in this case based upon the above exigent circumstances. Counsel requests that time limits for filing the petition be held in abeyance pending a ruling on this motion.

Respectfully submitted,

  
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LaNelle C. Durant  
Appellate Defender

Attorney for Petitioner  
  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

July 6, 2016

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Certiorari to Lexington County  
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MICHAEL RAY ELDERS,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

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CERTIFICATE OF SERVICE


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I certify that a true copy of the motion for an extension of time in which to file the petition for writ of certiorari and appendix in the above case has been served upon Patrick Schmeckpeper, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 6th day of July, 2016.

*Suzanne B. Hackett for*  
LaNelle C. Durant  
Appellate Defender

ATTORNEY FOR PETITIONER

SWORN TO BEFORE ME this 6th day  
of July, 2016,

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.